

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Laura M. Cogswell,

Case No. 3:13CV689

Plaintiff

v.

ORDER

Carolyn W. Colvin,
Acting Commissioner of Social Security,

Defendant

This is an appeal from the Commissioner's decision that plaintiff Laura Cogswell experienced medical improvement and is no longer entitled to disability insurance benefits.

Now before me is the Magistrate Judge's Report and Recommendation (R&R), which found that a remand is warranted because the administrative law judge (ALJ) violated the treating-physician rule. (Doc. 18).

The Magistrate Judge found "the ALJ's reasons for affording less than controlling weight to the opinion of [plaintiff's treating nephrologist] Dr. Brar are insufficient to permit the Court to meaningfully review whether she properly applied the treating physician rule." (*Id.* at 36). The Magistrate Judge also suggested that, on remand, the ALJ obtain an updated opinion from Dr. Brar respecting "[p]laintiff's conditions since the time periods relevant in the instant case[.]" (*Id.* at 38).

The Commissioner has filed a response stating she has no objection to the R&R. (Doc. 19).

I have reviewed the R&R and concur with the Magistrate Judge's recommendation that a remand is required.

It is, therefore, ORDERED THAT:

1. The Magistrate Judge's R&R (Doc. 18) be, and the same hereby is adopted as the order of this Court; and
2. This case is remanded to the Social Security Administration for further proceedings consistent with this order.

So ordered.

/s/ James G. Carr
Sr. U.S. District Judge